

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of the Investigation of)
Aristotle Unified Communications, LLC) **File No. TO-2023-0436**
Related to the Connect America Fund)
Phase II Auction)

STAFF NOTICE OF LETTER OF INQUIRY

COMES NOW the Staff of the Missouri Public Service Commission (Staff) and for its *Notice of Letter of Inquiry* in this matter states as follows:

1. It was brought to Staff’s attention that on December 22, 2023, the Federal Communications Commission (FCC) sent Aristotle Unified Communications, LLC, a Letter of Inquiry (LOI) regarding its participation in the high cost fund. Aristotle is ordered to respond to the LOI within 30 days of receipt of the letter, which have would been January 21, 2024.

2. Aristotle filed the LOI as a confidential document with the Illinois Commerce Commission (ICC) pursuant to an Order of that Commission issued in its Docket No. 18-1710 that states:

AUC should submit a notice within 30 days of the initiation of any ETC-related formal or informal investigation (including revocation or enforcement action) by the FCC, Universal Service Administrative Company (“USAC”), National Lifeline Accountability Database (“NLAD”), the National Verifier or any other regulatory body (including State Commissions) into the ETC or any affiliates (or immediately upon the ETC learning of the investigation if more than 30 days since the initiation of that investigation). AUC should commit to provide upon request by the Commission or its Staff any and all documents related to those investigations as well as quarterly updates to these reports.

3. Our rule, 20 CSR 4240-31.015.1(c) states that “Any Eligible Telecommunications Carrier (ETC) receiving designation from the commission will – Provide a copy, to the manager of the commission’s Telecommunications Department, of any finding by a state or federal authority that the company has violated universal service fund program requirements.” While our rule is not as detailed as the language of the ICC’s order, Staff argues that the LOI is relevant to this proceeding and should be filed in this docket.

4. Despite the filing of the LOI in Illinois as confidential, Staff assumes the LOI references Aristotle’s participation in the high cost fund in regards to all five of the states in which Aristotle receives Connect America Fund Phase II funding, as well as any other states for which it may be designated as an eligible telecommunications carrier (ETC). At the evidentiary hearing, Aristotle’s witness and CEO of the Company, Elizabeth Bowles, stated that Aristotle had entered an operating agreement in Illinois to offer its broadband services, similar as in Missouri. Staff now brings this information to the attention of the Commission and asks it to order Aristotle to file a copy of the LOI in this docket pursuant to 20 CSR 4240-31.015(c). Staff further asks the Commission to order Aristotle to file any further updates to this LOI or notice of other formal or informal investigations of a regulatory body related to the Universal Service Fund or Aristotle’s requirements as an ETC.

WHEREFORE, Staff prays that the Commission will accept this *Notice*; will order Aristotle to file a copy of the Letter of Inquiry in this docket; and grant such other and further relief as is just in the circumstances.

Respectfully submitted,

/s/ Whitney Scurlock

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by electronic mail, or First Class United States Postal Mail, postage prepaid, on this 23rd day of January, 2024, to all counsel of record.

/s/ Whitney Scurlock

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January 16, 2024

VIA Electronic Filing and/or E-mail

Matt Harvey
Office of General Counsel
Illinois Commerce Commission
527 East Capitol Ave.
Springfield, Illinois 62701

Re: Notice to the Commission pursuant to the Final Order in Docket 18-1710

Dear Mr. Harvey:

Pursuant to the Illinois Commerce Commission's ("Commission") Order in Docket 18-1710¹, Aristotle Unified Communications L.L.C. ("AUC") provides the following notice to the Commission. On December 22, 2023, the Federal Communications Commission issued a letter of inquiry ("LOI") to AUC concerning its participation in the high cost fund. The CONFIDENTIAL LOI, attached hereto, directs AUC to respond to the FCC within thirty days of the date of the LOI.

Sincerely,

s/ Thomas H. Rowland

Thomas H. Rowland

Counsel for Aristotle Unified Communications LLC

cc: Docket 18-1710 service list

¹ Aristotle Unified Communications L.L.C., *Application for Designation as a Eligible Telecommunications Carrier for Purposes of Receiving Federal Universal Service Support for the purpose of receiving support from the FCC Connect America Fund – Phase II*, Docket 18-1710, Order (Feb. 21, 2019).

Attachment - Public